

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR  
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL  
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION**

As a below name inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Myeloma Surface Glycoprotein, Antibodies Thereto, And Uses Thereof**  
the specification of which

- a. [ ] is attached hereto
- b. [X] was filed on August 13, 1999 as application Serial No. 09/374,367 and was amended on \_\_\_\_\_.  
(if applicable).

**PCT FILED APPLICATION ENTERING NATIONAL STAGE**

- c. [ ] was described and claimed in International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended on \_\_\_\_\_. (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO:      MORGAN & FINNEGAN, L.L.P  
    345 Park Avenue  
    New York, N.Y. 10154 USA

DIRECT TELEPHONE CALLS TO:    Leslie A. Serunian  
    (212) 758-4800

[ ] I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

[ ] The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date of filing (day, month, yr)</u>	<u>Date of Issue (day, month, yr)</u>	<u>Priority Claimed</u>
<input type="checkbox"/> YES <input type="checkbox"/> NO				
<input type="checkbox"/> YES <input type="checkbox"/> NO				
<input type="checkbox"/> YES <input type="checkbox"/> NO				

I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No. \_\_\_\_\_ Date of Filing (day, month, yr) \_\_\_\_\_

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**ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART  
OR PCT INTERNATIONAL APPLICATION(S) (DESIGNATING THE U.S.)**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
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US/PCT Application Serial No.	Filing Date	Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT)
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In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the U.S. Patent and Trademark Office connected therewith: John A. Diaz (Reg. No. 19,550), John C. Vassil (Reg. No. 19,098), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene

Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Michael M. Murray (Reg. No. 32,537), Mark J. Abate (Reg. No. 32,527), Alfred L. Haffner, Jr. (Reg. No. 18,919), Harold Haidt (Reg. No. 17,509), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613) and Kenneth H. Sonnenfeld (Reg. No. 33,285) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154 USA; and Edward A. Pennington (Reg. No. 32,588), Michael S. Marcus (Reg. No. 31,727) and John E. Hoel (Reg. No. 26,279) of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006 USA.

I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents hereinabove.

Full name of sole or first inventor Cohava GELBER

Inventor's signature\* Cohava Gelber

11/8/99

Date

Residence 11 Clubway, Hartsdale, New York 10530 USA

Citizenship Israel

Post Office Address 11 Clubway, Hartsdale, New York 10530 USA

ATTACHED IS/ARE ADDED PAGE(S) TO COMBINED DECLARATION AND POWER OF ATTORNEY FORM FOR SIGNATURE BY SUBSEQUENT INVENTORS

\* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

11-24-1999



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MM  
11/11/99

PATENT

Docket N. 3828-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Cohaya GELBER Group Art Unit: 1623  
Serial No. : 09/374,367 Examiner: To Be Assigned  
Filed : August 13, 1999  
For : **MYELOMA SURFACE GLYCOPROTEIN, ANTIBODIES THERETO,  
AND USES THEREOF**

RECORDATION FORM COVER SHEET PURSUANT TO 37 C.F.R. § 3.31

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Please record the attached original documents or copy thereof.

1. Name of conveying party/parties:

Cohaya GELBER

2. Name and address of receiving party/parties:

Name VACOLD, L.L.C.

Internal Address: 360 Lexington Avenue, 21st Floor, New York, New York 10017 USA

Street Address: 360 Lexington Avenue, 21st Floor

City New York State New York ZIP 10017

Additional names and addresses attached.

3. Name of conveyance:  Assignment  Merger  Security Agreement  
 Change of Name  Other \_\_\_\_\_  
Execution Date: November 9, 1999

4. Application Number(s) or Patent Number(s):

This document is being filed together with a new application which was executed on \_\_\_\_\_.

Patent Application U.S. Serial No.(s) 09/374,367, filed August 13, 1999

Patent No.(s) \_\_\_\_\_

11/23/1999 DMGUYEN 00000220 09374367

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EJ 606 945 977 US

EL 853 250 086 US

5. Address all future communications to:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154

6. Total number of applications and patents involved: one (1).

7. Total fee (37 CFR §3.41): \$40.00 property x one (1) property(ies) = \$40.00.

A check in the amount of \$ 40.00 to cover the recordation fee is enclosed.

Charge fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_.

\$40.00 fee previously paid upon filing of provisional application on \_\_\_\_\_.

The Commissioner is hereby authorized to charge any additional fees which may be required for this recordation, or credit any overpayment to Deposit Account No. 13-4500. Order No. 3828-4000. A duplicate copy of this sheet is attached.

8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: November 11, 1999

By: Leslie A. Serunian  
Leslie A. Serunian  
Reg. No. 35,353

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800 (Telephone)  
(212) 751-6849 (Facsimile)

PATENT

Docket No. 3828-4000

**ASSIGNMENT OF APPLICATION FOR PATENT**

WHEREAS:

Cohava GELBER, 11 Clubway, Hartsdale, New York 10530 USA  
(full name(s) and post office address(s) of inventor(s) (including country))

(hereinafter referred to as ASSIGNOR(S)), has/have made a discovery or invention entitled:

Myeloma Surface Glycoprotein, Antibodies Thereto, And Uses Thereof  
(title of discovery or invention)

- for which application for Letters Patent of the United States has been executed on even date herewith,
- for which application for Letters Patent of the United States has been filed on August 13, 1999 under U.S. Serial No. 09/374,367, and

WHEREAS:

Vacold, L.L.C., 360 Lexington Avenue, 21st Floor, New York, New York 10017 USA  
(name and address of assignee)

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR(S) of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR(S) hereby sells, assigns and transfers to ASSIGNEE, its successors, legal representatives and assigns, the full and exclusive right, title and interest to said discovery or invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

I, SAID ASSIGNOR(S), hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discovery or invention to the ASSIGNEE, as assignee of the entire right, title and interest in, to and under the same, for the sole use and behalf of the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

I, SAID, ASSIGNOR(S), hereby covenant that I have full right to convey the entire right, title and interest herein sold, assigned, transferred and set over;

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AND I, SAID ASSIGNOR(S) hereby further covenant and agree that the ASSIGNEE, its successors, legal representatives, or assigns, may apply for foreign Letters Patent on said discovery or invention and claim the benefits of the International Convention, and that I will, at any time, when called upon to do so by the ASSIGNEE, its successors, legal representatives, or assigns, communicate to the ASSIGNEE, its successors, legal representatives, or assigns, as the case may be, any facts known to me respecting said discover or invention, and execute and deliver and all lawful papers that may be necessary or desireable to perfect the title to the said discovery or invention, the said applications and the said Letters Patent in the ASSIGNEE, its successors, legal representatives and assigns, and that it reissues of the said Letters Patent or disclaimers relating thereto, or divisions, continuations, or refilings of the said applications, or any thereof, shall hereafter be desired by the ASSIGNEE, its successors, legal representatives, or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention or discover in all countries, and without further compensation but at the expense of the ASSIGNEE, its successors, legal representatives and assigns.

Assignor's signature:

Cohava  
First Name

Middle initial

Gelber  
Last name

Citizenship: Israel

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 9<sup>th</sup> day of November  
1979

STATE OF New York  
ss.:  
COUNTY OF N.Y.)

On this 9<sup>th</sup> day of November, 1979 before me, the undersigned authority, personally appeared to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposed therein specified.

Notary Public

C. LEONARD GORDON  
Notary Public, State of New York  
No. 31-5003658  
Qualified in New York County  
Commissioned Oct. 16, 1979



3828-4000  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 22, 2000

MORGAN & FINNEGAN, L.L.P.  
LESLIE A. SERUNIAN  
345 PARK AVENUE  
NEW YORK, NY 10154



\*101207774A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/11/1999

REEL/FRAME: 010392/0354  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
GELBER, COHAVA

DOC DATE: 11/09/1999

ASSIGNEE:  
VACOLD, L.L.C.  
360 LEXINGTON AVENUE, 21ST FLOOR  
NEW YORK, NEW YORK 10017

SERIAL NUMBER: 09374367  
PATENT NUMBER:

FILING DATE: 08/13/1999  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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